



Superannuation (Family Law — Parliamentary Contributory Superannuation Act 1948) Amendment Orders 2023

I, Katy Gallagher, Minister for Finance, make the following orders.

Dated 4th September 2023

Katy Gallagher
Minister for Finance

Contents

1	Name.....	1
2	Commencement	1
3	Authority.....	1
4	Schedules.....	1
Schedule 1—Amendments		2
	<i>Superannuation (Family Law — Parliamentary Contributory Superannuation Act 1948) Orders 2004</i>	2

1 Name

This instrument is the *Superannuation (Family Law — Parliamentary Contributory Superannuation Act 1948) Amendment Orders 2023*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The later of: (a) the day after this instrument is registered; and (b) the day after the <i>Family Law (Superannuation) (Methods and Factors for Valuing Particular Superannuation Interests) Amendment (No. 2) Approval 2023</i> is registered. However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur.	29 September 2023 (paragraph (a) applies)

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under section 22CK of the *Parliamentary Contributory Superannuation Act 1948*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Superannuation (Family Law — Parliamentary Contributory Superannuation Act 1948) Orders 2004

1 At the end of Part 2

Add:

Part 3—Application, saving and transitional provisions

3.01 Amendment made by the *Superannuation (Family Law — Parliamentary Contributory Superannuation Act 1948) Amendment Orders 2023*

- (1) This section applies to an agreement or court order made under Part VIIIB or VIIIC of the *Family Law Act 1975* on or after the commencement of the *Superannuation (Family Law — Parliamentary Contributory Superannuation Act 1948) Amendment Orders 2023*.
- (2) Schedule 1, as amended by that instrument, applies in relation to the determination of the value of an interest in the Scheme identified in the agreement or order, whether the operative time in relation to the relevant payment split is before, on or after that commencement.

2 Clause 3 of Part 1 of Schedule 1 (table item 1, column headed “Method or factor”)

Omit “21B”, substitute “21 or 21B”.